

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**TONY L. WARE, CEO and
T. L. WARE BOTTLING
COMPANY, INC.**

Plaintiffs,

v.

**FLEETBOSTON FINANCIAL
CORP.,
f/k/a BANKBOSTON CORP.,**

Defendant.

Civil Action File

No. _____

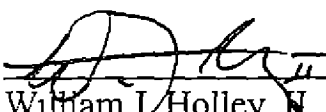
**NOTICE TO PLAINTIFFS OF
REMOVAL OF CIVIL ACTION**

You are hereby notified that the sole named defendant in the above-referenced civil action, FleetBoston Financial Corporation, has filed on February 15, 2005, the Notice of Removal of Civil Action, a copy of which is attached hereto as Exhibit 1, in the United States District Court for the Northern District of Georgia, Atlanta Division, thereby removing the case to that Court.

FleetBoston Financial Corporation makes this notice by special appearance while preserving all defenses and objections, including but not limited to, lack of personal jurisdiction and insufficient service of process.

Respectfully submitted,

PARKER, HUDSON, RAINER & DOBBS LLP

By: 
William J. Holley, N
Georgia Bar No. 362310
Nancy H. Baughan
Georgia Bar No. 042575
Michael D. Grider
Georgia Bar No. 310473

1500 Marquis Two Tower
285 Peachtree Center Avenue, N.E
Atlanta, Georgia 30303
(404)523-5300 (telephone)
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Attorneys for FleetBoston Financial Corporation

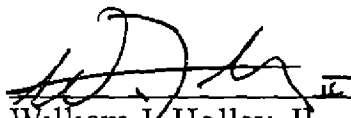
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing **NOTICE TO PLAINTIFFS OF REMOVAL OF CIVIL ACTION** upon all parties to this matter by causing to be deposited in the U S Mail, proper postage prepaid, a true copy of same addressed as follows:

Michael R. Johnson, Sr (also served via courier)
Johnson & Associates, P C
340 West Peachtree Street, N E
Suite 200
Atlanta, Georgia 30308

Dr. Tony L. Ware, PhD, JD
Post Office Box 150524 - Dept 0227
Atlanta, Georgia 30315

This 15th day of February, 2005.

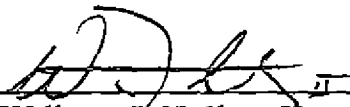


William J. Holley, II

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Respectfully submitted,

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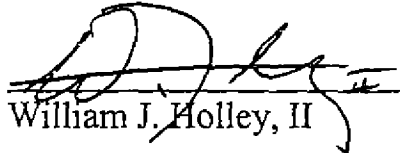
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing **NOTICE TO STATE COURT CLERK OF REMOVAL OF CIVIL ACTION** upon all parties to this matter by causing to be deposited in the U.S. Mail, proper postage prepaid, a true copy of same addressed as follows:

Michael R. Johnson, Sr. (**also served via courier**)
Johnson & Associates, P.C.
340 West Peachtree Street, N.E.
Suite 200
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Dr. Tony L. Ware, PhD, JD
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This 15th day of February, 2005.



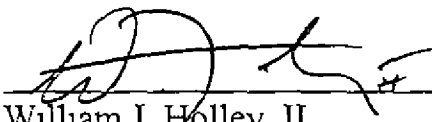
William J. Holley, II

IN THE COURT OF APPEALS
FOR THE STATE OF GEORGIA

FleetBoston Financial Corporation makes this notice by special appearance while preserving all defenses and objections, including but not limited to, lack of personal jurisdiction and insufficient service of process.

Respectfully submitted,

PARKER, HUDSON, RAINER & DOBBS LLP

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Attorneys for FleetBoston Financial Corporation


CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing **NOTICE TO THE COURT OF APPEALS FOR THE STATE OF GEORGIA OF REMOVAL OF CIVIL ACTION** upon all parties to this matter by causing to be deposited in the U S. Mail, proper postage prepaid, a true copy of same addressed as follows:

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Dr. Tony L. Ware, PhD, JD
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Atlanta, Georgia 30315

This 15th day of February, 2005.



William J. Holley, II

IN THE SUPREME COURT OF GEORGIA

TONY L. WARE, CEO and)	
T. L. WARE BOTTLING)	
COMPANY, INC.)	
)	
Plaintiffs,)	Superior Court
)	Civil Action File No. 2004-CV 94553
v.)	Judge Bensonetta Tipton Lane
)	
FLEETBOSTON FINANCIAL)	Supreme Court
CORP.,)	Case No.:
f/k/a BANKBOSTON CORP.,)	
)	
Defendant.)	
)	

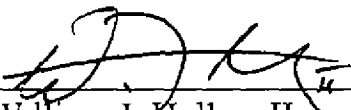
**NOTICE TO SUPREME COURT OF GEORGIA OF
REMOVAL OF CIVIL ACTION**

FleetBoston Financial Corporation, the sole named defendant in the above-styled action, hereby notifies the Clerk of the Supreme Court of Georgia that it has filed a Notice of Removal, attached hereto as Exhibit 1, removing this action from the Superior Court of Fulton County, State of Georgia, to the United States District Court for the Northern District of Georgia, Atlanta Division. From its review of the Superior Court record, Fleet Boston Corporation states its belief that Plaintiff Tony L. Ware, CEO filed a Notice of Appeal to this Court on February 8, 2005 (copy attached as Exhibit 2), but has not served FleetBoston Corporation with the Notice of Appeal and has not paid costs in the Superior Court

FleetBoston Financial Corporation makes this notice by special appearance while preserving all defenses and objections, including but not limited to, lack of personal jurisdiction and insufficient service of process

Respectfully submitted,

PARKER, HUDSON, RAINER & DOBBS LLP

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Attorneys for FleetBoston Financial Corporation


CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing **NOTICE TO SUPREME COURT OF GEORGIA OF REMOVAL OF CIVIL ACTION** upon all parties to this matter by causing to be deposited in the U S Mail, proper postage prepaid, a true copy of same addressed as follows

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